



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Patent Application of
 Brinkel, F. Murphy, Jr. et al.

Application No.: 10/003,437

Filing Date: December 6, 2001

Title: RESISTIVE HEATER FORMED
 INSIDE A FLUID PASSAGE OF A
 FLUID VAPORIZING DEVICE

) Reply Under 37 C.F.R. 1.116 -
) Expedited Procedure - Technology
) Center 3700

) Group Art Unit: 3731

) Examiner: DARWIN P EREZO

) Confirmation No.: 7405
)
)
)

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is enclosed.
- ☐ _____ Terminal Disclaimer(s) and the ☐ \$ 65 ☐ \$ 130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed.
- ☐ Also enclosed is/are: _____
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$ 395 ☐ \$ 790 fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____ on _____ for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:


AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	21	25	0	x \$ 50 (1202)	\$ 0
Independent Claims	3	3	0	x \$ 200 (1201)	0
<input type="checkbox"/> If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$ 0
Total Claim Amendment Fee					\$ 0
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					0
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0

- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date June 6, 2006

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Patent

Attorney's Docket No. 1033018-000070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Mail Stop AF
Sprinkel, F. Murphy, Jr. et al.)	Group Art Unit: 3731
Application No.: 10/003,437)	Examiner: DARWIN P EREZO
Filed: December 6, 2001)	Confirmation No.: 7405
For: RESISTIVE HEATER FORMED)	
INSIDE A FLUID PASSAGE OF A)	
FLUID VAPORIZING DEVICE)	

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Claims 26-31 and 38-52 are pending in this application. Claims 38, 39, 41, 47, 50 and 51 are withdrawn. Reconsideration in view of the following remarks is respectfully requested.

The Office Action rejects claims 26-31, 40, 42-46, 48, 49 and 52 under 35 U.S.C. §103(a) over *Vogel et al.* (U.S. Patent No. 6,656,738, hereinafter "*Vogel*") in view of *Fite et al.* (U.S. Patent No. 5,142,143, hereinafter "*Fite*") and *Adachi et al.* (U.S. Patent No. 4,381,233, hereinafter "*Adachi*"). The rejection is respectfully traversed.

The Office Action states that:

Vogel teaches a method of manufacturing a fluid vaporizing device comprising: forming a fluid passage in body (Fig. 3A), the fluid passage having an inlet opening and an outlet opening; and providing a tubular heater by depositing a thin resistive film inside the passage (col. 6, lines 41-42), the heater being operable to volatilize fluid in the passage by passing an electrical current through the film. Vogel also teaches conductive contacts 86.

See page 3 of the Office Action.